
From: sop@cscinfo.com [<mailto:sop@cscinfo.com>]
Sent: Thursday, February 05, 2015 11:40 AM
To: Adams, Kiia E
Subject: Notice of Service of Process - Transmittal Number: 13435555

Corporation Service Company ®

NOTICE OF SERVICE OF PROCESS

Transmittal Number: 13435555

(Click the Transmittal Number to view your SOP)

For more information on instant access to your SOP, click [Sign Me Up](#).

Pursuant to client instructions, we are forwarding this summary and Notice of Service of Process.

Entity:	Delta Air Lines, Inc.
Entity I.D. Number:	2078129
Entity Served:	Delta Air Lines, Inc.
Title of Action:	Yoly Farmers Corporation vs. Delta Air Lines Inc.
Document(s) type:	Summons/Complaint
Nature of Action:	Property
Court/Agency:	Gwinnett County State Court, Georgia
Case/Reference No:	5C-00576-4
Jurisdiction Served:	Georgia
Date Served on CSC:	02/05/2015
Answer or Appearance Due:	30 Days
Originally Served On:	CSC
How Served:	Personal Service

Sender Information:

Trace Dillon
770-513-6400

Primary Contact:

Kiia Adams
Delta Air Lines, Inc

NOTES:

Property Damage - \$91,038.75

IN THE STATE COURT OF GWINNETT COUNTY
STATE OF GEORGIA

YOLY FARMERS CORPORATION
PLAINTIFF

CIVIL ACTION
NUMBER

VS.

15 C-00576-4

DELTA AIR LINES INC.
C/O CORP SERVICE
COMPANY 40 TECHNOLOGY
PARKWAY S #300
NORCROSS GA 30092

DEFENDANT(s)

SUMMONS

~~TO THE ABOVE NAMED DEFENDANT(s):~~

You are hereby summoned and required to file with the Clerk of Said Court and serve upon the Plaintiff's attorney, whose name and address is:

Trace Dillon
The Dillon Law Firm, P.C.
1130 Hurricane Shoals Road
Suite 600
Lawrenceville, GA 30043

an answer to the complaint is herewith served upon you, within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

This 3rd day of Feb, 2015

Richard T. Alexander
Clerk of Court

By: Angela Kyle

DEPUTY CLERK

Instructions: Attach addendum sheet for additional parties if needed, make notation on this sheet if addendum sheet is used.

IN THE STATE COURT GWINNETT COUNTY
STATE OF GEORGIA

YOLY FARMERS CORPORATION

Plaintiff,

v.

DELTA AIR LINES INC.

Defendant(s).

15 C-00576-4

Civil Action
File No.

RICHARD ALEXANDER, CLERK

2015 FEB -3 PM 3:33

FILED IN OFFICE
CLERK STATE COURT
GWINNETT COUNTY, GA

COMPLAINT FOR NEGLIGENCE

Comes now Plaintiff, YOLY FARMERS CORPORATION , and for its
Complaint states:

Jurisdiction and Venue

1. The Plaintiff, YOLY FARMERS CORPORATION , (hereinafter "Plaintiff") is a foreign corporation.
2. The Defendant(s), DELTA AIR LINES INC. (hereinafter "Defendant(s)"), is an individual whose address is C/O CORP SERVICE COMPANY 40 TECHNOLOGY PARKWAY S #300, NORCROSS GA 30092.
3. The Defendant(s) is subject to the jurisdiction and venue of this court.

Facts:

4. Defendant(s) negligently caused damage to property belonging to Plaintiff's insured.

5. Repair and/or replacement of this damage is attached as Exhibit "A."
6. The total amount of the damage caused is \$91,038.75.
7. Plaintiff's counsel sent Defendant(s) the Demand Letter attached as Exhibit "B."

Count One: Negligence


8. Plaintiff realleges the foregoing paragraphs as if fully set forth and is incorporated herein by reference.
9. Defendant(s) has negligently caused harm to Plaintiff as alleged above.

Wherefore, Plaintiff prays that it be granted judgment for the following amounts:

- 1) For Count One, Negligence, Plaintiff prays that it be granted \$91,038.75 in principal, \$5,342.60 in prejudgment interest, court costs and post judgment interest at the legal rate.

Respectfully submitted this 02 day of February 2015.

THE DILLON LAW FIRM PC


TRACE DILLON or DWAYNE KINNEY
Bar No. 222404 or 857783
Attorney for Plaintiff
1130 Hurricane Shoals Road
Suite 600
Lawrenceville, GA 30043
(770) 513-6400 (Office)
(770) 513-6577 (Facsimile)

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CONTACT US | ABOUT DELTA CARGO | EVENTS

PRODUCTS
& RATESGETTING
STARTEDWORLDWIDE
FACILITIESSCHEDULES &
FLIGHT STATUSSHIPPING TOOLS
& INFORMATION

BOOK A SHIPMENT

TRACK A SHIPMENT

VIEW BILLING

HOME / SHIPPING TOOLS & INFORMATION / CLAIMS / LOSS OR DAMAGE CLAIM FORM

DELTA CARGO LOSS OR DAMAGE CLAIM

A case number will be assigned within 5 business days as detailed in the instructions for completing claim. Investigations begin when all supporting documents are received. Claims are worked in the order received.

***Required**

*Master Air Waybill Number:

006-3498-4180

*Master Air Waybill Date:

04/28/2013

Customer's Reference Number:

2013-04-28

***Claim Description**

QUANTITY	WEIGHT (LBS/KG)	PRODUCT DESCRIPTION	REASON FOR CLAIM	CLAIM AMOUNT (USD)
20	345	Indian Bitter Me	Spoilage due to h	2800.00

**SHIPPING TOOLS &
INFORMATION**AIRCRAFT
SPECIFICATIONSSHIPPING CONTAINERS
& GUIDELINES

CLAIMS

REQUEST AWBS

E-FREIGHT

Total Amount Claimed: 2800				

Contact Information

*Contact First Name:	Andy
*Contact Last Name:	Gruillon
Company Name:	Yoly Farmers
Job Title:	Manager
*Address:	6199 Spencer Terr, 1st FL
Address 2:	
*City:	Bronx
State/Province:	NY
ZIP/Postal Code:	10471
*Country:	USA
*Phone Number:	646-201-2442
*Email Address:	andyg@yolyfarmers.com
*Confirm Email Address:	andyg@yolyfarmers.com

Claim Notification Details

Written notifications of the specific damage being claimed must be provided to the Carrier within the proper time frame, by the party entitled to delivery as listed on our Air Waybill, for both Domestic and International claims or no action may be brought against the Carrier.

LOSS/DAMAGE NOTIFICATION:

Name (first & last):	USDA Inspector Michael Morris
----------------------	-------------------------------

Title:

Initial Notification Location:

Initial Notification Date:

Notification Method:

INSPECTED BY:

Inspected By Name:

Inspection Date:

Title:

Terms & Conditions

All claims should be submitted within the proper time limits. Delay submitting could preclude consideration of your claim. See Condition of Carriage for more detail.

☒ * The foregoing statement of facts is hereby certified as correct

*Type Name Here
(electronic signature):

*Date:

☒ By selecting, I am giving permission for Delta Cargo to send special offers and announcements to the email address I have provided. [Cookies/Privacy/Security](#)

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Leadership Team](#)[Careers](#)[Cookies/Privacy/Security](#)[Legal](#)[Site Map](#)[Delta Air Lines](#)[SkyTeam Cargo](#)

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[Feedback](#)

2013/4/28

Admin	Customer Service	Outbound	Inbound	AP Work	Status	Information	Hardware	Cash Control	ULD Control	Comments	Rating	Utilities	Admin																																							
AWB Charges																																																				
User ID: 012219 Status: IDL 28 APR 13 10:08:13 Logging Data: 28APR13 Time: 00:08 Volume: 1241 LB Volume: 1141 CF																																																				
1. View All Waybill Collecting Payments On Behalf Of 006 34984180 3. Sign-in Station 4. Order 5. Discontinue 6. Archive																																																				
2. Detail <table border="0" style="width: 100%;"> <tr> <td>Product: FRE</td> <td>Priority: 3</td> <td>Status: X</td> <td>Pad: GB</td> <td>Exec Date: 25APR13</td> <td>Export Payment Code: CC</td> <td>Import Payment Code: CS</td> <td>EU Customs:</td> </tr> <tr> <td>Routing: SDQ</td> <td>UJKDL</td> <td></td> <td></td> <td></td> <td>Shipment Status: GDS CHKD-IN</td> <td>Rate: 279</td> <td>Rate Class: 279</td> </tr> <tr> <td>Contract: 3382.48</td> <td>Paid: 3382.48</td> <td>Currency Code: USD</td> <td>Con:</td> <td>GDS Num:</td> <td></td> <td></td> <td></td> </tr> </table>														Product: FRE	Priority: 3	Status: X	Pad: GB	Exec Date: 25APR13	Export Payment Code: CC	Import Payment Code: CS	EU Customs:	Routing: SDQ	UJKDL				Shipment Status: GDS CHKD-IN	Rate: 279	Rate Class: 279	Contract: 3382.48	Paid: 3382.48	Currency Code: USD	Con:	GDS Num:																		
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3. Payments Use This Check or Memo To Repeat This Payment Or Invoice. <table border="1" style="width: 100%;"> <thead> <tr> <th>Payment</th> <th>Amount</th> <th>Currency</th> <th>Agent</th> <th>Drawer</th> <th>Time</th> <th>Date</th> <th>CC Code</th> <th>Number</th> <th>Expiration Date</th> <th>Voucher</th> <th>Authorization Code</th> <th>Remarks</th> </tr> </thead> <tbody> <tr> <td>CHECK</td> <td>1000.00</td> <td>USD</td> <td>012219</td> <td>NOCASH44</td> <td>2005</td> <td>28APR</td> <td></td> <td>1017</td> <td></td> <td></td> <td>2223</td> <td></td> </tr> <tr> <td>CARD</td> <td>2382.48</td> <td>USD</td> <td>012219</td> <td>NOCASH44</td> <td>2008</td> <td>28APR</td> <td>VI</td> <td>*****1190</td> <td>0416</td> <td>34984180</td> <td>000820</td> <td></td> </tr> </tbody> </table>														Payment	Amount	Currency	Agent	Drawer	Time	Date	CC Code	Number	Expiration Date	Voucher	Authorization Code	Remarks	CHECK	1000.00	USD	012219	NOCASH44	2005	28APR		1017			2223		CARD	2382.48	USD	012219	NOCASH44	2008	28APR	VI	*****1190	0416	34984180	000820	
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ABI AGRO DOMINICANO

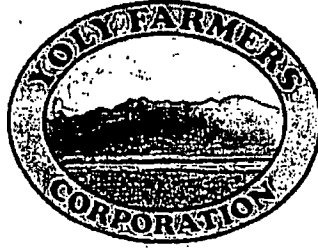
Las Mata de Santa Cruz
Montecristy, Dominican Republic
Phone: 809-582-0060
abiagrodominicano@hotmail.com
RNC# 130594589

Sold to: Yoly Farmers Corp. Andy Grullon
27 West Street
Greenpoint NY 11222
Ph 646-201-2442 Fax: 718-717-7666

Invoice 131
Date 4/28/2013
Terms
Ship Via Delta
FDA 1336 8081 370

AWB 006-3498 4180

Quantity	Product	Lbs Box	Kgs	Box Price	Total
89	Indian bitter melon	3115	1412.95	\$140.00	\$12,460.00
14	Indian Long Squash	630	285.77	\$225.00	\$3,150.00
35	Chili Peppers	1050	476.28	\$150.00	\$5,250.00
15	Snake Gourd	450	204.12	\$120.00	\$1,800.00
4	Red habanero Peppers	32	14.52	\$28.00	\$112.00
30	tindora	900	408.24	\$120.00	\$3,600.00
39	Chinese Okra	1365	619.16	\$140.00	\$5,460.00
34	Flat Valor Beans	1020	462.67	\$180.00	\$6,120.00
2	Blar Valor Beans	40	18.14	\$140.00	\$280.00
17	Round Valor Beans	340	154.22	\$160.00	\$2,720.00
279		8942	4056.06		\$40,952.00



Fax Fax Fax Fax Fax Fax Fax Fax Fax Fax Fax Fax Fax Fax Fax Fax

To: Delta Cargo / claims department	From: Andy Grullon
Fax: (404) 714-5022	Pages: 8
Phone: (404) 714-4541	Date: May 27, 2013
Re: Ref:2013-04-28 / AWB 006-3498 4180 CC:	

Delta Cargo Claims
Atlanta, GA

International Claims Unit,

I am a frequent importer and have been a loyal customer of Delta and Delta Cargo for many years because I appreciate your emphasis on value and excellent service. Yet recent episodes at Delta Cargo has made me question my loyalty.

We have been importing fresh vegetables from the Dominican Republic, which requires refrigeration and proper care as outlined on the air way bills. In many occasions it takes up to four hours for the cargo to be in the warehouse available for USDA inspection; other times 3 to 5 boxes are destroyed in the process, other times the cargo got to the cooler after two hours of being in the warehouse, causing the vegetables to get so hot that gets spoiled and we have to throw it the garbage, like the 20 boxes of Indian Bitter Melons that came on April 28, inside a container, AWB 006-3498 4180, which USDA inspector Michael Morris witnessed temperature of 90 degrees, we suffered a loss of \$2,800.00 on this shipment.

Our cargo received on May 13, AWB 3498 4261 was so badly mishandled that too many boxes were broken and products were so damaged that became unsuitable for sale. Enclosed please find documents for these claims.

I am writing also to encourage you to improve your cargo service. It is extremely distressing for a loyal, importer to experience such poor service. I enjoy your airline service for number of reasons, convenient JFK location, and very good service from some of your lead agents like Damon Tsang. I hate having my positive feelings about Delta ruined by these incidents.

Thank you for your prompt attention to these matters.

Best Regards,

From the desk of: Andy Grullon
YOLY FARMERS CORPORATION
6199 Spencer Terr., 1st Fl.
Riverdale NY 10471
Phone (718) 374-6678 / Fax (718) 717-7666
Sales@yolyfarmers.com www.yolyfarmers.com

006 SDQ 3498 4180

006 3498 4180

Shipper Name and Address ABI AGRO DOMINICANO LAS MATAS DE SANTA CRUZ MONTECRISTI REPUBLICA DOMINICANA TEL: 809 582 0060		Shipper's Account Number		Not Negotiable Air Waybill DELTA AIR LINES, INC.	
Consignee Name and Address YOLY FARMERS CORPORATION 21 WEST STREET GREEN POINT NY 11222, NEW YORK, USA PHONE: 646 201-2442 / FAX: 347 231-4311		Consignee's Account Number		It is agreed that the goods described herein are accepted in apparent good order and condition (except as noted) for carriage SUBJECT TO THE CONDITIONS OF CONTRACT ON THE REVERSE HEREOF. ALL GOODS MAY BE CARRIED BY ANY OTHER MEANS INCLUDING ROAD OR ANY OTHER CARRIER UNLESS SPECIFIC CONTRARY INSTRUCTIONS ARE GIVEN HEREON BY THE SHIPPER, AND SHIPPER AGREES THAT THE SHIPMENT MAY BE CARRIED VIA INTERMEDIATE STOPPING PLACES WHICH THE CARRIER DEEMS APPROPRIATE THE SHIPPER'S ATTENTION IS DRAWN TO THE NOTICE CONCERNING CARRIER'S LIMITATION OF LIABILITY. Shipper may increase such limitation of liability by declaring a higher value for carriage and paying a supplemental charge if required.	
Issuing Carrier's Agent Name and City PILARTE CARGO, S.A. SANTO DOMINGO, REPUBLICA DOMINICANA		Accounting Information		Copies 1, 2 and 3 of this Air Waybill are originals and have the same validity.	
Agent's AITA Code 92-1-0007		Account No.		ALL CHARGES ARE COLLECT	
Airport of Departure (Addr. of First Carrier) and Requested Routing LAS AMERICAS INTL. AIRPORT -SDQ-		Reference Number		Optional Shipping Information	
To JFK	By First Carrier DELTA AIRLINES	to JFK	by DELTA AIRLINES	Declared Value for Carriage NVD	Declared Value for Customs NCV
Flight Date DL494/28APR13	For Carrier Use Only	Flight Date	Amount of Insurance XXX	INSURANCE - If carrier offers insurance, and such insurance is requested in accordance with the conditions thereof, indicate amount to be insured in figures in box marked Amount of Insurance.	
Handling Information PERISHABLE SHIPMENT PLEASE KEEP COOLER SHC PER FRE PEP INT INS					
These commodities, technology or software were exported from the United States in accordance with the Export Administration Regulations. Ultimate destination: SDQ					
No. of Pieces RCP	Gross Weight	Rate Class Commodity Item No.	Chargeable Weight	Rate Charge	Total
279	4472.0	K (PER	4472.0	0.65	\$2906.80
279	4472.00				2906.80
Prepaid: Weight Charge Collect			Other Charges		
2906.80			DUE AGENT: \$135.00		
Valuation Charge					
Tax			FUEL AND SEC INCLUDED IN RATE		
Total Other Charges Due Agent			Shipper certifies that the particulars on the face hereof are correct and that insofar as any part of the consignment contains dangerous goods, such part is properly described by name and is in proper condition for carriage by air according to the applicable Dangerous Goods Regulations.		
135.00					
Total Other Charges Due Carrier					
Total Prepaid			Total Collect		
3041.80					
Currency Conversion Rates			28 Apr 13/11:00am		
CCO Charge in Destination			SDQ		
Charges at Destination			at (place)		
Total Collect Charge			Signature of Shipper or its Agent		
			Signature of Issuing Carrier or its Agent		

Ministerio de Agricultura
Departamento de Sanidad Vegetal
República Dominicana



CERTIFICADO FITOSANITARIO PHYTOSANITARY CERTIFICATE

A Organización (es) Nacional (es) de Protección Fitosanitaria de Estados Unidos
To: Plant Protection Organization of:

086451

I. DESCRIPCION DEL ENVIO DESCRIPTION OF CONSIGNMENT

Nombre y dirección del exportador Name and Address of exporter <u>ABR Agro Americana, Inc. P.O. Box 1000 Santa Cruz</u>		
Nombre y dirección declarados del destinatario Declared Name and Address of consignee <u>Yoly Farmers Corporation, 21 West Street N.Y. 11222</u>		
Número y descripción de los bultos Declared and Description of packages <u>229 Cajas</u>		Marcas distintivas Marks distinctives <u>MUD 006 3498 4180</u>
Lugar de origen Place of origin <u>R.D.</u>	Medios de transporte Means of conveyance <u>Aereo</u>	Punto de Entrada declarado Point Entry <u>J.F. Kennedy</u>
Cantidad y nombre del producto Name Botánico <u>53 Cajas - 240 lbs. Valeriana <u>Valeriana purpurea</u></u>		
Nombre of Products and Quantity Botanic Name <u>59 Cajas - 3010 lbs. Cundamor <u>Nomophila cundamor</u></u>		
<u>14 Cajas - 1350 lbs. Bawang <u>Tagetes patula</u></u>		
<u>35 Cajas - 1100 lbs. Ají <u>Capsicum frutescens</u></u>		
<u>18 Cajas - 4050 lbs. Bengón <u>Chenopodium bengense</u></u>		
<u>04 Cajas - 96 lbs. Ají <u>Capsicum chinense</u></u>		
<u>30 Cajas - 900 lbs. <u>Cajun 9</u></u>		
<u>37 Cajas - 1400 lbs. <u>Mesa China</u></u>		

Para probar la certeza que las plantas, productos vegetales u otros artículos nombrados
cuando se han inspeccionado y sometidos a ensayo de acuerdo con los procedimientos
que han sido acordados se consideran que están libres de las plagas cuarentenarias especificadas por la
parte contratante importadora y que cumplen los requisitos fitosanitarios vigentes de la parte
contratante importadora, incluidos los requisitos de las plagas no cuarentenarias reglamentadas
se consideran que están sustancialmente libres de otros plagas.

This is to certify that plants or plant products described above have been inspected according to
agreed procedures and are considered to be free from quarantine pests and practically free from other injurious
pest and that they are considered to conform with the current Phytosanitary actions of the importing
country.
The products are considered to be free from other pests.

II. DECLARACION ADICIONAL ADDITIONAL DECLARATION

III. TRATAMIENTO DE DESINFESTACION O DESINFECCION DESINFESTATION OR DISFECTION TREATMENT

Fecha Date	Tratamiento Treatment		
Producto (ingrediente activo) Chemical	Duración y Temperatura Duration and Temperature	Concentración Concentration	
INFORMACION ADICIONAL ADDITIONAL INFORMATION			
Sello de la organización Seal of organization	Lugar de Expedición Place of issue <u>República Dominicana</u>	Nombre del Funcionario Autorizado Name of Authorized Officer <u>Ing. Héctor Santana</u>	
	Fecha Date <u>28/1/2015</u>	Firma Signature <u>H.S.</u>	

Este Ministerio de Agricultura y sus funcionarios y representantes
declinan toda responsabilidad financiera resultante de este certificado.

No liability attached to Agriculture Dominican Republic
or any of its officers in respect of this certificate.

** SENDING NOTIFICATION : FAX SENT SUCCESSFULLY **

TIME SENT

May 27, 2014 5:40:20 PM GMT-08:00

REMOTE CSID

Delta Air Lines

DURATION

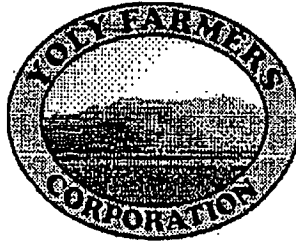
87

PAGES

2

STATUS

Sent



Resent May 05, 2014
 Resent May 09, 2014
 Resent May 14, 2014
 Resent May 23, 2014
 Resent May 27, 2014

FaxFaxFaxFaxFaxFaxFaxFaxFaxFaxFaxFaxFaxFaxFaxFax

To:	Delta Cargo / claims department	From:	Andy Grullon
Fax:	(404) 714-5022	Pages:	
Phone:	(404) 714-4541	Date:	JAN 06, 2014
Re:	2013-DEC-10, AWB 006-3584 3371	CC:	

Delta Cargo Claims
 Atlanta, GA
 International Claims Unit,

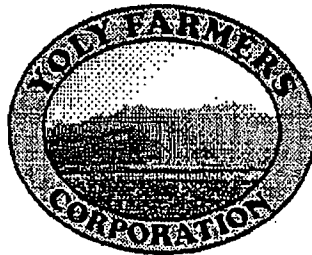
I am a frequent importer/skymiles frequent flier and have been a loyal customer of Delta and Delta Cargo for many years because I appreciate your emphasis on value and excellent service. Yet recent episodes at Delta Cargo has made me question my loyalty.

We have been importing fresh vegetables from the Dominican Republic, which requires proper care as outlined on the air way bills. In many occasions it takes up to four hours for the cargo to be in the warehouse available for USDA inspection; other times 3 to 5 boxes are destroyed in the process, other times the cargo got to the warehouse after two hours of being out in the cold, causing the vegetables to get so cold that gets spoiled and we have to throw it in the garbage, like the cargo received on 12/10/2013, AWB 006-006-3584 3371, which USDA Inspector Ricardo De Jesus and Delta Ed Poinrier witnessed the damaged cargo by the cold weather from the night before, when this cargo was left outside for over 4 hours under subzero temperature, we suffered a monetary loss of \$22,624.30 on this shipment, not counting the loss of business because of it. 21,574.75 correct one

We arrived at Delta JFK at about 9:30 PM, asked Mark the forklift driver and Mr. Green, the supervisor, about our cargo, it was still outside. At 10:30 PM spoke to Damon and explained to him about the situation. We left at 11 PM, still not inside; we learned that our cargo was finally brought in at about 12:30 AM.

Next morning I contacted Mr. Poinrier and he came into the warehouse and witnessed the spoiled produce, enclose please find a copy of the email he sent to parties that should be aware of this continuous problem at Delta JFK.

From the desk of: Andy Grullon
 YOLY FARMERS CORPORATION
 6199 Spencer Terr., 1st Fl.
 Riverdale NY 10471
 Phone (718) 374-6678 / Fax (718) 717-7666
Sales@yolyfarmers.com www.yolyfarmers.com



Our cargo received on Dec 10, AWB 006-3584 3371 was so badly mishandled that many boxes were broken and products were so damaged by the cold weather that became unsuitable for sale. Enclosed please find documents for these claims.

I am writing also to encourage you to improve your cargo service. It is extremely distressing for a loyal customer / importer to experience such poor service. I enjoy your airline service for number of reasons, convenient JFK location, and very good service from some of your lead agents like Damon Tsang and Mr. Poinrier. I hate having my positive feelings about Delta ruined by these incidents.

Thank you for your prompt attention to these matters.

Best Regards,

Andy Grullon, Dir
(646) 201-2442

PS:

WE FIRST SENT THIS ON JAN 06, 2014 WITH ALL THE NECESSARY DOCUMENTS.
WE STILL HAVE NOT RECEIVED AN ANSWER, WE REALLY NEED TO SOLVE THESE
SITUATIONS, IT IS ADVERSELY AFFECTING OUR CASH FLOW.

PS2:

WE ARE STILL WAITING

From the desk of: Andy Grullon
YOLY FARMERS CORPORATION
6199 Spencer Terr., 1st Fl.
Riverdale NY 10471
Phone (718) 374-6678 / Fax (718) 717-7666
Sales@yolyfarmers.com www.yolyfarmers.com

1/14/14

Loss/Damage Claim Form | Delta Cargo



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GO | English

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PRODUCTS
& RATESGETTING
STARTEDWORLDWIDE
FACILITIESSCHEDULES &
FLIGHT STATUSSHIPPING TOOLS
& INFORMATION

BOOK A SHIPMENT

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INFORMATIONAIR CARRIER
SPECIFICATIONSSHIPPING CONTAINERS &
GUIDELINES

CLAIMS

REQUEST AWBS

FREIGHT

HOME / SHIPPING TOOLS & INFORMATION / CLAIMS / LOSS OR DAMAGE CLAIM FORM

DELTA CARGO LOSS OR DAMAGE CLAIM

A case number will be assigned within 5 business days as detailed in the instructions for completing claim. Investigations begin when all supporting documents are received. Claims are worked in the order received.

*Required

*Master Air Waybill Number:

006-3584 3371

*Master Air Waybill Date:

12/10/2013

Customer's Reference Number:

2013-DE C-10A

*Claim Description

QUANTITY	WEIGHT (LBS/KG)	PRODUCT DESCRIPTION	REASON FOR CLAIM	CLAIM AMOUNT (USD)
10	158.76 KG	Chinese Eggpla	cold burned dan	1,395.50
7	111.13	Chinese Okra	cold burned bro	732.55
2	40.82	Long Squash	cold burned dan	269.10
41	371.95	Valor Broad	cold burned dan	4,911.80
42	381.02	Valor Round	cold burned dan	5,031.60
20	317.51	Indian B Melon	cold burned dan	3,493.00
3	47.63	Indian Egg plant	cold burned dan	418.00
11	224.53	Indian Long Squ	cold burned dan	2,470.05
3	40.83	Dosakay	cold burned dan	359.10
3	47.63	Jack Fruit	cold burned dan	418.95
Total Amount Claimed: 19,499.65				

Contact Information

*Contact First Name:

Andy

*Contact Last Name:

Grillon

Company Name:

Yoly Farmers

Job Title:

Dir

*Address:

6199 5 pence Terr, 1st FL

Address 2:

*City:

Riversdale

State/Province:

New York

ZIP/Postal Code:

10471

1/14/14

Loss/Damage Claim Form | Delta Cargo

Country: United States

Phone Number: 8462012442

Email Address: andyg@yolyfarmers.com

Confirm Email Address: andyg@yolyfarmers.com

Claim Notification Details

Written notifications of the specific damage being claimed must be provided to the Carrier within the proper time frame by the party entitled to delivery as listed on our Air Waybill for both Domestic and International claims or no action may be brought against the Carrier.

LOSS/DAMAGE NOTIFICATION

Name (first & last): Phillip C Grieci

Title: Airline representative ☒

Initial Notification Location: Delta JFK

Initial Notification Date: 12/12/2013

Notification Method: In Person ☒

INSPECTED BY:

Inspected By Name: Ed Poirier

Inspection Date: 12/12/2013

Title: Airline representative ☒

Terms & Conditions

All claims should be submitted within the proper time limits. Delay submitting could preclude consideration of your claim. See Condition of Carriage for more detail.

☒ The foregoing statement of facts is hereby certified as correct.

Type Name Here (electronic signature): Andy Grillon

Date: 01/14/2014

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1/14/14

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*Country:	United States
*Phone Number:	8462012442
*Email Address:	andyg@yolyfarmers.com
*Confirm Email Address:	andyg@yolyfarmers.com

Claim Notification Details

Written notifications of the specific damage being claimed must be provided to the Carrier within the proper timeframe by the party entitled to delivery as listed on our Air Waybill, for both Domestic and international claims or no action may be brought against the Carrier.

LOSS/DAMAGE NOTIFICATION

Name (first & last):	Phillip C Grieci
Title:	Airline representative <input checked="" type="checkbox"/>
Initial Notification Location:	Delta JFK
Initial Notification Date:	12/12/2013
Notification Method:	In Person <input checked="" type="checkbox"/>

INSPECTED BY

Inspected By Name:	Ed Poinrier
Inspection Date:	12/12/2013
Title:	Airline representative <input checked="" type="checkbox"/>

Terms & Conditions

All claims should be submitted within the proper time limits. Delay submitting could preclude consideration of your claim. See Condition of Carriage for more detail.

☒ The foregoing statement of facts is hereby certified as correct.

*Type Name Here (electronic signature): Andy Grillon

*Date: 01/14/2014

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12/18/13

Very bad handling.

Very bad handling.

Thu 12/12/2013 11:03 AM

From: Poirier, Ed**To:** Delta, JFKPLCargo, Delta, JFKLeadCargo, Madden, Kevin, Maitland, R, Peter Ferrantelli, Lloyd Andrew, reggie.hinton@swissport.com**Cc:** Andyg@yolyfarmers.com

Flight 946/11 Dominicacana/JFK 217 PCS 3.276 kg arrived 1945 fresh vegetables and valued frequent shipper. He was very upset with our handling. His shipment sat out in the cold until 1230am in sub zero degrees. Delta has paid many claims plus costs more to destroy and many wasted man hours with CPB. Can we please have this expedited back to 21A to avoid freezing. I am sure we can leave hard freight in the cold rather than perishables. I will meet with this client and U.S. Customs and Agriculture and check out the damage.

DELTA AIR LINES INC.



00635843371

Delivery Slip and Receipt

Date December 18, 2013 / 12:32

Consignee
 YOLI FARMERS CORPORATION
 RIVERDALE
 NEW YORK, NY
 US 10471

Notify
 YOLI FARMERS CORPORATION
 RIVERDALE
 NEW YORK, NY
 US10471

Air Waybill 006-35843371		Arrived Pieces 217	Total Pieces 217	Arrived Weight 7222.3 LB	Nature of Goods FRESH VEGETABLES
Shipper's Name BACUI ARRIBA IMPORT					Total Collect Charges 3038.50 USD
Airport of Departure SANTO DOMINGO					Handling Charge Charges Collect Charge 245.70 USD
Check in Flight and Date DL948/11DEC13			Arrival Date 11DEC13	Storage Charge Start Date	
Broker's Account No		Broker's Name <i>Yoli Farmers</i>			
Consignee Remarks					
Other Remarks					
Location 1COOLA	Pieces 217	Released By	Consignee Receipt		Customs Goods
			Date		
			Receipt		
			Broker Stamp/Identification		
			Warehouse Charge Control		

Goods must be customs cleared before delivery.
 Ref:6662

My SPL
Andres Ceron
11/17

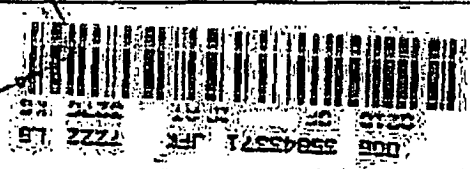
X Andres Gwllon
X *120*
97
217
Frozen
damaged
by weather

006

SDQ

3584-3371

006-3584 3371

Shipper's Name and Address BACUI ARRIBA IMPORT PROVINCIA ESPALTAT LA VEGA REPUBLICA DOMINICANA PH: 809-574-3674		Shipper's Account Number		Air Waybill: DELTA AIRLINES INC.	
Consignee's Name and Address YOLY FARMERS CORPORATION RIVERDALE NY 10471 NEW YORK USA PH: 718 374 6678		Consignee's Account Number		 00 0000 0000 0000 0000 0000 01 2222 00 12345678 0000	
Airway's ATA Code 92-9-8035		Accounting Information		ALL CHARGES COLLECT DELTA AIR LINES	
Report of Dispatch (AAR) Of First Carrier LAS AMERICAS INTERNATIONAL AIRPORT		Reference Number		STORAGE BEGINS XXXX DATE PER DAY 72 XXXX NO. OF DAYS XXXX	
By First Carrier (Routing and Destination) JFK DELTA AIRLINES		By Second Carrier (Routing and Destination) J.F. KENNEDY		CURRENCY: USD USED: CC X XXX	
Handling Information SHC:INT INS PEP PER FRE KEEP IN COOLER UPON ARRIVAL PERISHABLES A/C 3165		I.S.C. FEE \$50.00 PER SIMPLE OR \$100.00 PER COMPLEX \$40.00 PER 100 LBS and Quantity of Goods 100 LBS (Weight or Volume)		FRESH VEGETABLES Dims 19*13*08 IN = 12PC 19*13*13 IN = 205PC	
No. of pieces (PC)	Gross Weight	kg	Rate Class	Chargeable Weight	Rate
217	3,276.0	kg	PER	3,276.0	2,457.00
217	3,276	kg			2,457.00
Prepaid		Weight Charge		Collect	
				2,457.00	
TAX					
Valuation Charge				163.80	
Total Other Charges Due Agent				100.00	
Total Other Charges Due Carrier					
Total Prepaid		Total Collect		2,720.80	
Shipper's Declaration (Use only)		Charges at Destination		Total Collect Charges	
		215.10		3,036.50	
Signature of Shipper or his agent		Signature of Shipper or his agent		Signature of Shipper or his agent	
BACUI ARRIBA IMPORT		SEGEMA SRL		SEGEMA SRL	
DEC 10th, 2013 SDQ		DEC 10th, 2013 SDQ		DEC 10th, 2013 SDQ	
006-3584-3371		006-3584-3371		006-3584-3371	

User ID: 327651 Station: JFK Office: 001 Charges **AWB Charges** Logout Date: 11DEC13 Time: 21:32 Weight Unit: LB Volume Unit: CB

1. View Air Waybill Collecting Payments On Behalf Of
 006 35843371 ☒ Sign-In Station ☐ Origin ☐ Destination

2. Detail

Product	Priority	Status	Prod	Exec Date	Export Payment Code	Import Payment Code	EU Customs
FRE	3	X	GB	11DEC13	CC	CS	
Routing	SDQ	JFKDL			Shipment Status	Total	Received
					GDS CHKD-IN	217	217
Collected	Paid	Currency Code	Due	COO Due			
3036.50	3036.50	USD					

3. Entries Use The Context Menu To Reprint The Payment Or Invoice.

Payment	Amount	Currency	Agent	Drawer	Time	Date	CC Code	Number	Expiration Date	Voucher	Authorization Code	Remarks
+CHECK	1000.00	USD	327651	NOCASH03	2131	11DEC		108			1071	
+CARD	2036.50	USD	327651	NOCASH03	2132	11DEC	VI	8676		1216 35843371	349226	

4. Actual Charges

5. Action

Method	Type	Amount	Check Number
Credit Card	Plus(+)	USD	
Credit Card	Credit Card Number	Expires	Credit Card Holder's Name
VISA			
Storage	Amount	Days	Calculated Amount
No Storage			
Final Status	Status Remarks		

ck - 1,000⁰⁰
 C card - 2,036⁵⁰

FACTURA CLIENTE

BACUI ARriba IMPORT

Bacui Arriba La Vega, Rep. Dom.
 Prov. Espaillat, Rep. Dom.
 TEL: 574-3674 FAX (809) 574-3674
 FDA # 15980323786

Client Informations:
YOLY FARMERS CORPORATION
Riverdale N.Y. 10471

Invoice
Invoice No: 001
Date: 11/12/13
Order No:
Comments:

Qty	Product	Lbs		Price US\$		
Packs		Unit	Total LBS	Price lb	box	TOTAL
5.00	Bangafia China/Chinesse Long Squash	45.00	225.00	2.99	134.55	\$672.75
20.00	Berengena China/Chinesse Eggplant	35.00	700.00	3.99	139.65	\$2,793.00
12.00	Bangafia Culebra/Snake Gound	30.00	360.00	3.99	119.70	\$1,436.40
10.00	Musu Chino/Chinesse Okra	35.00	350.00	2.99	104.65	\$1,046.50
20.00	Cundeamor Indu/Indian Bittermelon	35.00	700.00	4.99	174.65	\$3,493.00
0.00	Valnita Verde/Green Long Beans	35.00	0.00	0.00	0.00	\$0.00
49.00	Valor Bean Chato/Broad Valor Bean	20.00	980.00	5.99	119.80	\$5,870.20
48.00	Valor Bean Morado/Purple Valor Bean	20.00	960.00	5.99	119.80	\$5,750.40
5.00	Berengena Indu/Indian Eggplant	35.00	175.00	3.99	139.65	\$698.25
0.00	Valor Bean Verde/Green Valor Bean	20.00	0.00	0.00	0.00	\$0.00
10.00	Aji Corto/Small Chilli	30.00	300.00	4.99	149.70	\$1,497.00
7.00	Tindora Parvol/Tindora Parvol	30.00	210.00	4.99	149.70	\$1,047.90
5.00	Buen Pan/Jack Fruit	35.00	175.00	3.99	139.65	\$698.25
5.00	Castafio/Bread Nut	40.00	200.00	3.99	159.60	\$798.00
5.00	Dosakai/Dosakai	30.00	150.00	3.99	119.70	\$598.50
16.00	Bangafia Indu/Indian Long Squash	45.00	720.00	4.99	224.55	\$3,592.80
TOTAL 217.00			6,205.0			\$29,992.95

**DEPARTMENT OF HOMELAND SECURITY
U.S. Customs and Border Protection**

Seal Number:

0009527

**CHAIN OF CUSTODY
EMERGENCY ACTION NOTIFICATION**

1. Port Location: 4701 JFK TRADE		2. Date Issued: 12/12/2013	
3. Name and Quantity of Article(s): Valor beans 97 Ctns 880 Kg		4. Location of Article(s): DL From Ecuador Cargo	
		CAUTION-SHIPMENT AUTHORIZED TO: Agra Services Ltd. <input checked="" type="checkbox"/> S.B.A. <input type="checkbox"/> Other: <input type="checkbox"/>	
6. Shipper: Bacul Arriba Import Bacul Arriba La Vega, Dominican Republic		7. Name of Carrier: DL-946	
		8. Shipment ID: Entry # and AWB 930-0268859-1 006-3584 3371	
9. Owner/Consignee of Article(s) Name: Yoli Farmers Corporation Address: 6199 Spencer Terrace Riverdale, Bronx, NY 10471 Phone: (718) 723-3800		10. Port of Lading: SDQ	11. Date of Arrival: 12/11/2013
		12. ID of Pest(s), Noxious Weeds, or Article(s) Condition of entry	
		12a. Pest ID Number:	12b. Date Intercepted: 12/12/2013
		13. Country of Origin: Dominican Rep	14. Grower Number:
Brokers Phone Number: (718) 723-3800	Brokers FAX Number: (718) 723-3528	15. Foreign Phytosanitary Certificate Number:	
15a. Place Issued:	15b. Date:	15c. SAIR Number:	

Under Section 411, 412 and 414 of the Plant Protection Act (7 USC 7711, 7712 and 7714) and Sections 10404 through 10407 of the Animal Health Protection Act (7 USC 8303 through 8306), you are hereby notified, as owner or agent of the owner of said carrier, premises, and/or articles, to apply remedial measures for the pest(s), noxious weeds, and/or article(s) specified in item 12, in a manner satisfactory to and under the supervision of an CBP Agriculture Specialist. Remedial measures shall be in accordance within the action specified in item 16 and shall be completed within the time specified in item 17.

After receipt of this notification, articles and/or carriers herein designated must not be moved except as directed by a CBP Agriculture Specialist.

16. Action Required: ☐ Safeguard Pending I.D. ☐ Destruction ☐ Re-Exportation ☒ Mandatory Treatment (Cond. Of Entry)

*Should the owner or owner's agent fail to comply with this order within the time specified below, DHS is authorized to recover from the owner or agent cost of any care, handling, application of remedial measures, disposal, or other action incurred in connection with the remedial action, destruction, or removal.

17. After receipt of this notification complete specified action within (specify number of hours or number of days):

Hours: 24 Days:

Agriculture Specialist Name:

Ricardo De Jesús

Agriculture Specialist Signature:

[Signature]

ACKNOWLEDGEMENT OF RECEIPT OF EMERGENCY ACTION NOTIFICATION

I hereby acknowledge receipt of the foregoing notification.

Name:	Title (Shipper/Broker/Consignee)	Signature:	Date/Time:
Andy Corillon	Consignee	<i>[Signature]</i>	12/12/13
Name:	USDA	Signature:	Date/Time:

4/19/2014

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DELTA CARGO LOSS OR DAMAGE CLAIM

A case number will be assigned within 5 business days as detailed in the instructions for completing claim. Investigations begin when all supporting documents are received. Claims are worked in the order received.

***Required**

*Master Air Waybill Number:

008-3583 5834

*Master Air Waybill Date:

01/13/2014

Customer's Reference Number:

YFC2014-01-13

***Claim Description**

QUANTITY	WEIGHT (LBS/KG)	PRODUCT DESCRIPTION	REASON FOR CLAIM	CLAIM AMOUNT (USD)
4	140/63.5	Chinese Eggpla	Damaged	558.60
3	105/47.83	Chinese Okra	Damaged	313.95
8	315/142.9	Indian Bitter Me.	Damaged	1571.85
4	140/63.5	Green Long Be	Damaged	838.60
4	80/38.29	Broad Valor Be	Damaged	479.20
42	840/381	R ound Valor Br	Damaged	5031.60
40	800/362.90	Green Valor Be	Damaged	362.90
2	60/27.22	Small Chilli	Damaged	299.40
Total Amount Claimed: 9456.099999999999				

Contact Information

*Contact First Name:

Andy

*Contact Last Name:

Gruhon

Company Name:

Yoly Farmers

Job Title:

*Address:

6199 Spencer Terr, 1st Floor

Address 2:

*City:

Bronx

State/Province:

NY

ZIP/Postal Code:

10471

1/14/14

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DELTA CARGO LOSS OR DAMAGE CLAIM

A case number will be assigned within 5 business days as detailed in the instructions for completing claim. Investigations begin when all supporting documents are received. Claims are worked in the order received.

*Required

*Master Air Waybill Number

006-3584 3371

*Master Air Waybill Date

12/10/2013

Customer's Reference Number

2013-DEC-10B

*Claim Description

QUANTITY	WEIGHT (LBS/KG)	PRODUCT DESCRIPTION	REASON FOR CLAIM	CLAIM AMOUNT (USD)
4	81.65 KG	Bread Fruit	cold burned dan	638.40
12	163.29 KG	Snake Gourd	cold burned dan	1,438.40

Total Amount Claimed: 2,074.80

Contact Information

*Contact First Name

Andy

*Contact Last Name

Grillon

Company Name

Yoly Farmers corp

Job Title

*Address

6100 Spencer Terr, 1st FL

Address 2

*City

Riverdale

State/Province

New York

ZIP/Postal Code

10471

4/19/2014

Loss/Damage Claim Form | Delta Cargo

*Country: USA

*Phone Number: 646-201-2442

*Email Address: andyg@yolyfarmers.com

*Confirm Email Address: andyg@yolyfarmers.com

Claim Notification Details

Written notifications of the specific damage being claimed must be provided to the Carrier within the proper time frame, by the party entitled to delivery as listed on our Air Waybill, for both Domestic and International claims or no action may be brought against the Carrier.

LOSS/DAMAGE NOTIFICATION

Name (first & last): Santiago Rivas, CBP USDA Inspe

Title: Other

Initial Notification Location: JFK

Initial Notification Date: 01/14/2014

Notification Method: In Person

INSPECTED BY:

Inspected By Name: Santiago Rivas, USDA

Inspection Date: 01/14/2014

Title: Other

Terms & Conditions

All claims should be submitted within the proper time limits. Delay submitting could preclude consideration of your claim. See Condition of Carriage for more detail.

☒ • The foregoing statement of facts is hereby certified as correct

*Type Name Here (electronic signature): Andy Grullon

*Date: 04/19/2014

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006 3583 5634

006 3583 5634

Shipper's Name and Address BACUI ARRIBA IMPORTT BACUI ARRIBA LA VEGA REP DOMINICANA TEL 809 574 3674		Shipper's Account Number		NOT NEGOTIABLE Air Waybill	
Consignee's Name and Address YOLY FARMERS CORPORATION RIVERDALE N.Y 10471 70 SCOTT AVE BROOKLY NY 11237 EX 718 717 7666		Consignee's Account Number		Issued by DELTA AIRLINES	
Issuing Carrier's Agent Name and City CARGO LOGISTICS?S.R.L REP.DOMINICANA TEL 809 549 1170		Accounting Information ALL CHARGE COLLECT		Copies 1, 2 and 3 of this Air Waybill are originals and have the same validity. It is agreed that the goods described herein are accepted in apparent good order and condition (except as noted) for carriage SUBJECT TO THE CONDITIONS OF CONTRACT ON THE REVERSE HEREOF. ALL GOODS MAY BE CARRIED BY ANY OTHER MEANS INCLUDING ROAD OR ANY OTHER CARRIER UNLESS SPECIFIC CONTRARY INSTRUCTIONS ARE GIVEN HEREON BY THE SHIPPER AND SHIPPER AGREES THAT THE SHIPMENT MAY BE CARRIED VIA INTERMEDIATE STOPPING PLACES WHICH THE CARRIER DEEMS APPROPRIATE. THE SHIPPER'S ATTENTION IS DRAWN TO THE NOTICE CONCERNING CARRIER'S LIMITATION OF LIABILITY. Shipper may increase such limitation of liability by declaring a higher value for carriage and paying a supplemental charge if required.	
Agent's IATA Code 92-1-29 001 5		Account No.		Reference Number	
Airport of Departure (Addr. of First Carrier) and Requesting Routing DEL CIBAO INTEL AIRPORT		Routing and Destination JFK DELTA CARGO JFK DL		Optional Shipping Information	
By First Carrier		BY TO BY		Currency	
JFK DELTA CARGO		JFK DL		USD C C C	
AIRPORT OF DESTINATION JFK INTEL AIRPORT		Requested Flight/Date 536 43 01 2014		Declared Value for Carriage NVD	
Handling Information SHC FRE INS INT PER PER PLEASE KEEP COOLER		Amount of Insurance XXXXXXXXXX		Declared Value for Customs NVC	
These commodities, technology or software were exported from the United States in accordance with the Export Administration Regulations, Ultimate destination		INSURANCE - If carrier, other insurance, and such insurance is requested in accordance with conditions hereof, indicate amount to be insured in figures in box marked "Amount of Insurance"		SC	
No. of Pieces RCP		Gross Weight kg	Rate Class Commodity Item No.	Chargeable Weight kg	Rate Charge
231 PCS		7725 LBS	GEN	3504 KG	75
231		3504 KGS			2,628.00
Total		2,628.00			
Prepaid		Weight Charge		Collect	
		2,628.00		Other Charges	
Valuation Charge				DUE AGENT 125.00	
Tax				SEC & FUEL IS INCLUDED IN RATE	
Total Other Charges Due Agent		125.00		Shipper certifies that the particulars on the face hereof are correct and that insofar as any part of the consignment contains dangerous goods, such part is properly described by name and is in proper condition for carriage by air according to the applicable Dangerous Goods Regulations.	
Total Other Charges Due Carrier				BACUI ARRIBA IMPORT	
Total Prepaid		2,753.00		Signature of Shipper or its Agent	
Total Collect				hora 2:30 PM	
Currency Conversion Rates		Charges at Destination		13.01.2014	
Charges at Destination		Total Collect Charges		STI CARGO LOGISTICS?S.R.L	
For Carriers Use Only at Destination				Signature of Issuing Carrier or its Agent	

0412-00077 7/12

ORIGINAL 1 (FOR ISSUING CARRIER)

006 3583 5634

FACTURA CLIENTE

BACUI ARRIBA IMPORT

Bacui Arriba La Vega, Rep. Dom.

Prov. Espaillat, Rep. Dom.

TEL: 574-3674 FAX (809) 574-3674

FDA # 15980323786

Client Informations:
YOLY FARMERS CORPORATION
Riverdale N.Y. 10471

Invoice
Invoice No: 002
Date: 12/01/14
Order No:
Comments:

Qty	Product	Lbs		Price US\$		
Packs		Unit	Total LBS	Price lb	box	TOTAL
15.00	Berengena China/Chinesse Eggplant	35.00	525.00	3.99	139.65	\$2,094.75
10.00	Musu Chino/Chinesse Okra	35.00	350.00	2.99	104.65	\$1,046.50
19.00	Cundeamor Indu/Indian Bittermelon	35.00	665.00	4.99	174.65	\$3,318.35
7.00	Vainita Verde/Green Long Beans	35.00	245.00	5.99	209.65	\$1,467.55
10.00	Valor Bean Chato/Broad Valor Bean	20.00	200.00	5.99	119.80	\$1,198.00
52.00	Valor Bean Morado/Purple Valor Bean	20.00	1,040.00	5.99	119.80	\$6,229.60
9.00	Berengena Surinam/ISurinam Eggplant	35.00	315.00	3.99	139.65	\$1,256.85
48.00	Valor Bean Verde/Green Valor Bean	20.00	960.00	5.99	119.80	\$5,750.40
35.00	Aji Corto/Small Chilli	30.00	1,050.00	4.99	149.70	\$5,239.50
10.00	Tindora Parvol/Tindora Parvol	30.00	300.00	6.99	209.70	\$2,097.00
16.00	Bangafia Indu/Indian Long Squash	45.00	720.00	4.99	224.55	\$3,592.80
TOTAL 231			6,370			\$33,291.30

2014/04/19 20:02:16 2 / 6

4/19/2014

Loss/Damage Claim Form | Delta Cargo

*Country: USA

*Phone Number: 848-201-2442

*Email Address: andyg@olyfarmers.com

*Confirm Email Address: andyg@olyfarmers.com

Claim Notification Details

Written notifications of the specific damage being claimed must be provided to the Carrier within the proper time frame, by the party entitled to delivery as listed on our Air Waybill, for both Domestic and International claims or no action may be brought against the Carrier.

LOSS/DAMAGE NOTIFICATION:

Name (first & last): Santiago Rivas, CBP/USDA Inspect

Title: Other

Initial Notification Location: JFK

Initial Notification Date: 01/14/2014

Notification Method: In Person

INSPECTED BY:

Inspected By Name: Santiago Rivas, USDA

Inspection Date: 01/14/2014

Title: Other

Terms & Conditions

All claims should be submitted within the proper time limits. Delay submitting could preclude consideration of your claim. See Condition of Carriage for more detail.

☒ The foregoing statement of facts is hereby certified as correct

*Type Name Here (electronic signature): Andy Grillon

*Date: 04/19/2014

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2014/04/19 20:02:16

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006 3583 5631 006 3583 5634

Shipper's Name and Address BACUI ARRIBA IMPORT BACUI ARRIBA LA VEGA REP DOMINICANA TEL 809 574 3674		Shipper's Account Number		NOT NEGOTIABLE Air Waybill																												
Consignee's Name and Address YOLY FARMERS CORPORATION RIVERDALE N.Y 10471 70 SCOTT AVE BROOKLY NY 11237 EX 718 717 7666		Consignee's Account Number		Issued by DELTA AIRLINES																												
Issuing Carrier's Agent Name and City CARGO LOGISTICS S.R.L REP DOMINICANA TEL 809 549 1170		Accounting Information ALL CHARGE COLLECT		Copies 1, 2 and 3 of this Air Waybill are original and have the same validity. It is agreed that the goods described herein are accepted in payment of the freight and that the carrier is not responsible for the goods if they are not received in the same condition as when they were received by the carrier.																												
Agent's IATA Code 92-1-29 0015		Agent's Ref		Reference Number																												
Airport of Departure (Name of Airport, City and Country) DEL CIBAO INTEL AIRPORT		Airport of Destination (Name of Airport, City and Country) JFK INTEL AIRPORT		General Shipping Information Declared Value for Carriage Declared Value for Customs USD 0 C C NVD NVC																												
By First Carrier DELTA CARGO		By Second Carrier JFK DL		Amount of Insurance XXXXXXXXXX																												
Date of Issue 13.01.2014		Date of Receipt 13.01.2014		Insurance If carrier does not insure, and such insurance is requested in accordance with conditions of contract, it shall be provided in figures in the amount of insurance.																												
Remarks SAC FRE INS INT PER PER PLEASE KEEP COOLER PLEASE NOTIFY ANDY GRULLON PU 1646 201 2442																																
<table border="1"> <thead> <tr> <th>No. of Pieces (Gross)</th> <th>Gross Weight</th> <th>Net Weight</th> <th>Rate Class</th> <th>Commodity</th> <th>Chargeable Weight</th> <th>Rate</th> <th>Total</th> <th>Nature and Quantity of Goods (incl. Dimensions and Volume)</th> </tr> </thead> <tbody> <tr> <td>231 PCS</td> <td>7725 LBS</td> <td></td> <td>GEN</td> <td></td> <td>3504 KG</td> <td>.75</td> <td>2.628.00</td> <td>FRESH VEGETABLES PERISHABLES CARGO DMS 19x13x08 in 10; PCS 19x13x13 in 221; PCS TOTAL 231 PCS</td> </tr> <tr> <td>231</td> <td>3504 KGS</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>2.628.00</td> <td></td> </tr> </tbody> </table>						No. of Pieces (Gross)	Gross Weight	Net Weight	Rate Class	Commodity	Chargeable Weight	Rate	Total	Nature and Quantity of Goods (incl. Dimensions and Volume)	231 PCS	7725 LBS		GEN		3504 KG	.75	2.628.00	FRESH VEGETABLES PERISHABLES CARGO DMS 19x13x08 in 10; PCS 19x13x13 in 221; PCS TOTAL 231 PCS	231	3504 KGS						2.628.00	
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231	3504 KGS						2.628.00																									
Prepaid 2.628.00		Weight Charge 2.628.00		Other Charges DUE AGENT 125.00 SEC 3 FUEL IS INCLUDED IN RATE																												
Value Added Charge 125.00		Tax 125.00		Total Other Charges Due Agent 125.00																												
Total Prepaid 2.753.00		Total Collect 2.753.00		Signature of Shipper or Agent 13.01.2014 STI CARGO LOGISTICS S.R.L																												
Currency Conversion Rates 13.01.2014		Charges at Destination 13.01.2014		Signature of Issuing Carrier's Agent 13.01.2014																												
For Carriers Use Only of Destination		Charges at Destination		Total Collect Charges																												

041240077 7/12

ORIGINAL 1 (FOR ISSUING CARRIER)

006 3583 5634

2014/04/19 20:02:16 4 /6

FACTURA CLIENTE

BACUI ARRIBA IMPORT

Bacui Arriba La Vega, Rep. Dom.

Prov. Espaillat, Rep. Dom.

TEL: 574-3674 FAX (809) 574-3674

FDA # 15980323786

Client Informations:**YOLY FARMERS CORPORATION**

Riverdale N.Y. 10471

Invoice

Invoice No: 002

Date: 12/01/14

Order No:

Comments:

Qty	Product	Lbs		Price US\$		
Packs		Unit	Total LBS	Price lb	box	TOTAL
15.00	Berengena China/Chinesse Eggplant	35.00	525.00	3.99	139.65	\$2,094.75
10.00	Musu Chino/Chinesse Okra	35.00	350.00	2.99	104.65	\$1,046.50
19.00	Cundeamor Indu/Indian Bittermelon	35.00	665.00	4.99	174.65	\$3,318.35
7.00	Vainita Verde/Green Long Beans	35.00	245.00	5.99	209.65	\$1,467.55
10.00	Valor Bean Chato/Broad Valor Bean	20.00	200.00	5.99	119.80	\$1,198.00
52.00	Valor Bean Morado/Purple Valor Bean	20.00	1,040.00	5.99	119.80	\$6,229.60
9.00	Berengena Surinam/Surinam Eggplant	35.00	315.00	3.99	139.65	\$1,256.85
48.00	Valor Bean Verde/Green Valor Bean	20.00	960.00	5.99	119.80	\$5,750.40
35.00	Aji Corto/Small Chilli	30.00	1,050.00	4.99	149.70	\$5,239.50
10.00	Tindora Parvol/Tindora Parvol	30.00	300.00	6.99	209.70	\$2,097.00
16.00	Bangaña Indu/Indian Long Squash	45.00	720.00	4.99	224.55	\$3,592.80
TOTAL 231			6,370			\$33,291.30

Page 1 of 1

User-ID: 287831, Station: JFK - Office: 001 - Change

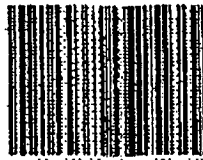
Lubout Date: 5-4-2014 Time: 10:10 Weight Unit LB Volume Unit CF

CC - 2,085⁸⁰
ck - 1,000²²

2014/04/19 20:02:16

6 / 6

DELTA AIR LINES INC.



00635835534

Delivery Slip and Receipt

Date January 14, 2014 / 22:38

Consignee
YOLY FARMERS CORPORATION
70SCOTT AVE BROOKLYN RIVERDALE
NEW YORK, NY
US 11237

Notify
YOLY FARMERS CORPORATION
70SCOTT AVE BROOKLYN RIVERDALE
NEW YORK, NY
US 11237

Airwaybill 006-35835534	Arrived Places 223	Total Pieces 231	Arrived Weight 5125.0 LB	Nature of Goods FRESH VEGETABLE
Shipper's Name BACUI ARRIEA IMPORT				Total Collect Charges 3085.80 USD
Airport of Departure SANTIAGO DR.				Handling Charge Charges Collect Charge 262.80 USD
Check in Flight and Date DL566 13 JAN 14		Arrival Date 14 JAN 14	Storage Charge Start Date	
Broker's Account No		Broker's Name		
Consignee Remarks				
Other Remarks				
Location 1WHSE	Pieces 92	Released By	Consignee Receipt	Customs Goods
1COOLA	68		Date	
21PALLET	73		Receipt	
			Broker Stamp/Identification	
			Warehouse Charge Control	

Goods must be customs cleared before delivery.
Ref:3172

NYDL
ANDRES GRULLON
X *[Signature]*

110 valer Beans
7 Long Beans
16 Long squash
133 *[illegible]*
Damaged
shown to
USDA imports

2/5/2014

Loss/Damage Claim Form | Delta Cargo

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GO | English

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PRODUCTS
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GUIDELINES

CLAIMS

REQUEST AWBS

FREIGHT

HOME // SHIPPING TOOLS & INFORMATION // CLAIMS // LOSS OR DAMAGE CLAIM FORM

DELTA CARGO LOSS OR DAMAGE CLAIM

A case number will be assigned within 5 business days as detailed in the instructions for completing claim. Investigations begin when all supporting documents are received. Claims are worked in the order received.

***Required:**

*Master Air Waybill Number:

008-3585 1830

*Master Air Waybill Date:

02/01/2014

Customer Reference Number:

2014-02-01

***Claim Description:**

QUANTITY	WEIGHT (LBS/KG)	PRODUCT DESCRIPTION	REASON FOR CLAIM	CLAIM AMOUNT (USD)
1	20.41	India Long Squar	Damaged	134.55
2	31.75	Chinese Eggpla	Damaged	279.30
10	158.78	Green Longbear	Damaged	2098.50
30	272.16	Broad Valor Be	Damaged	3594.00
28	235.87	Purple Valor Be	Damaged	3114.80
10	138.08	Green Valor Be	Damaged	1797.00
10	138.08	Small Chili	Damaged	1487.00
8	81.65	Tindora Panel	Damaged	698.20
4	83.50	Jack Fruit	Damaged	558.60

Total Amount Claimed: 13969.950000000003

Contact Information:

*Contact First Name:

Andy

*Contact Last Name:

Grillon

Company Name:

Yoly Farmers

Job Title:

Dir

*Address:

6199 Spencer Terr, 1st FL

Address 2:

*City:

Rivertdale

State/Province:

NEW YORK

ZIP/Postal Code:

10471

2/5/2014

Loss/Damage Claim Form | Delta Cargo

Country: United States

Phone Number: 6462012442

Email Address: andyg@yolyfarmers.com

Confirm Email Address: andyg@yolyfarmers.com

Claim Notification Details

Written notifications of the specific damage being claimed must be provided to the Carrier within the proper time frame, by the party entitled to delivery as listed on our Air Waybill, for both Domestic and International claims or no action may be brought against the Carrier.

LOSS/DAMAGE NOTIFICATION:

Name (first & last): Carlos Maya

Title: Airline representative

Initial Notification Location: Delta Cargo JFK

Initial Notification Date: 02/02/2014

Notification Method: In Person

INSPECTED BY:

Inspected By Name: Carlos Maya

Inspection Date: 02/02/2014

Title: Airline representative

Terms & Conditions

All claims should be submitted within the proper time limits. Delay submitting could preclude consideration of your claim. See Condition of Carriage for more detail.

☒ The foregoing statement of facts is hereby certified as correct.

Type Name Here (electronic signature): Andy Grullon

Date: 02/05/2014

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Shipper's Name and Address		Shipper's Account Number		NOT NEGOTIABLE	
BACUI ARRIBA IMPORT		1-809-574-3674 / FAX: 809-574-3674		Air Waybill DELTA AIR LINES, INC.	
BACUI ARRIBA, LA VEGA REPUBLICA DOMINICANA TEL.: 809 574 3674 / FAX: 809-574 3674					
Consignee's Name and Address		Consignee's Account Number		Copies 1, 2 and 3 of this Air Waybill are originals and have the same validity.	
YOLY FARMERS CORPORATION				It is agreed that the goods described herein are accepted in apparent good order and condition (except as noted) SUBJECT TO THE CONDITIONS OF CONTRACT ON THE REVERSE HEREOF. ALL GOODS MAY BE CARRIED BY ANY OTHER MEANS INCLUDING ROAD OR ANY OTHER CARRIER UNLESS SPECIFIC CONTRARY INSTRUCTIONS ARE GIVEN HEREON BY THE SHIPPER AND SHIPPER AGREES THAT THE SHIPMENT MAY BE CARRIED VIA INTERMEDIATE STOPPING PLACES WHICH THE CARRIER DEEMS APPROPRIATE. THE SHIPPER'S ATTENTION IS DRAWN TO THE NOTICE CONCERNING CARRIER'S LIMITATION OF LIABILITY. Shipper may increase such limitation of liability by declaring a higher value for carriage and paying a supplemental charge if required.	
70 SCOTT AVE. BROOKLYN N.Y. 11237 RIVERDALE, NY 10471 USA FAX: 718 717 7666					
Issuing Carrier's Agent Name and City		Accounting Information		PLEASE NOTIFY ANDY GRULLON PHONE: 1-848-201-2247	
PILARTE CARGO SRL SANTO DOMINGO, REPUBLICA DOMINICANA					
Agent's IATA Code		Reference Number		Optional Shipping Information	
AS AMERICAS INTERNATIONAL AIRPORT S.A.					
Airport of Departure (Addr. of First Carrier) and Requesting Routing		Currency		Declared Value for Carriage	
LAS AMERICAS INTERNATIONAL AIRPORT S.A. TO: By First Carrier, Routing and Destination		USD		AND	
L.F.K. DELTA AIR LINES, INC.		Amount of Insurance		INSURANCE: If carrier offers insurance, and such insurance is requested in accordance with conditions hereof, indicate amount to be insured in figures in box marked "Amount of Insurance"	
FAIRPORT OF DESTINATION		XXX			
TE KENNEDY, JAMAICA					
Handling Information		Nature and Quantity of Goods		(Incl. Dimensions or Volume)	
FRESH VEGETABLES // PERISHABLES SHIPMENT					
CIGARS IN THER REPE					
No. of Pieces (GROSS)	Gross Weight	Rate Class	Charge	Nature and Quantity of Goods	
232	3235.0	FRE	1428.25	FRESH VEGETABLES PERISHABLES SHIPMENT DANGER: HIGHLY FLAMMABLE 10X13X13 IN = 217 10X13X03 IN = 15	
233	3235.0				
Total Prepaid		Total Collect		Signature of Shipper or its Agent	
2678.25		2678.25		BACUI ARRIBA IMPORT	
Currency Conversion Rates		Charges at Destination		Signature of Issuing Carrier's Agent	
For Carriers' Use Only		Total Collected Charges		OPERACIONES	
at Destination				Santo Domingo, Rep. Dom.	

User ID: 635195 Station: JFK Office: 001 Change

AWB Charges

Logout Date: 02FEB14 Time: 17:19 Weight Unit: LB Volume Unit: CF

1. View

Air Waybill

008 35851830

Collecting Payments On Behalf Of

☒ Sign-in Station ☒ Origin ☒ Destination ☐ Return

2. Detail

Product	Priority	Status	Pad	Exec Date	Export Payment Code	Import Payment Code	EU Customs
FRE	3	X	GHB	31JAN14	CC	CS	
Routing				Shipment Status	Total	Received	Released
SDQ JFKDL				GDS:CHKD-IN	Pieces: 232	232	0
Collect	Paid	Currency Code	Due	COD Due			
2838.88	2838.88	USD					

3. Entries

Use The Context Menu To Reprint The Payment Or Invoice.

Payment
+CARDAmount: Currency
2838.88 USDAgent
635195Drawer
NOCASH47Time Date
17:19 02FEBCC Code
DSNumber
*****9681Expiration Date
0119 35851830Voucher
00276B

Remarks

4. Actual
Charges

5. Action

Method	Type	Amount	Check Number
	Plus(+)	USD	
Credit Card	Credit Card Number	Expires	Credit Card Holder's Name
DISCOVER			
Storage	Amount	Days	Calculated Amount
No Storage			*****
Final Status	Status Remarks	Days	Authorization
			35851830

FACTURA CLIENTE

BACUI ARRIBA IMPORT

Bacui Arriba La Vega, Rep. Dom.

Prov. Espaillat, Rep. Dom.

TEL: 574-3674 FAX (809) 574-3674

FDA # 15980323786

Client Informations:**YOLY FARMERS CORPORATION**

Riverdale N.Y. 10471

Invoice**Invoice No: 005****Date: 02/01/14****Order No:****Comments:**

Qty	Product	Lbs			Price US\$		
		Unit	Total LBS	Total Kgs	Price lb	box	TOTAL
13.00	Bangafia Indu/Indian Long Squash	45.00	585.00	265.35	2.99	134.55	\$1,749.15
5.00	Berengena China/Chinesse Eggplant	35.00	175.00	79.38	3.99	139.65	\$698.25
15.00	Valnita Verde/Green Long Beans	35.00	525.00	238.14	5.99	209.65	\$3,144.75
45.00	Valor Bean Chato/Broad Valor Bean	20.00	900.00	408.23	5.99	119.80	\$5,391.00
76.00	Valor Bean Morado/Purple Valor Bean	20.00	1,520.00	689.46	5.99	119.80	\$9,104.80
30.00	Valor Bean Verde/Green Valor Bean	30.00	900.00	408.23	5.99	179.70	\$5,391.00
30.00	Aji Corto/Small Chilli	30.00	900.00	408.23	4.99	149.70	\$4,491.00
10.00	Tindora Parvol/Tindora Parvol	30.00	300.00	136.08	4.99	149.70	\$1,497.00
8.00	Buen Pan/Jack Fruit	35.00	280.00	127.01	3.99	139.65	\$1,117.20
TOTAL	232.00		6,085.0	2,760.1			\$32,584.15

2/5/2014

Feb 01-2014 Fresh vgs DL-946 AWB-006-3585 1380

Feb 01-2014 Fresh vgs DL-946 AWB-006-3585 1380

Sat 2/1/2014 11:49 AM

From: Andy Grullon

To: Poirier, Ed, Delta, JFKPLCargo, Delta, JFKLeadCargo, Madden, Kevin, Maitland, R, Peter Ferrantelli, Lloyd Andrew, reggie.hinton@swissport.com

Cc: Tsang, Damon, philip.grieci@delta.com

Hello Everyone,

We are expecting a shipment from SDQ, DL-946 today, which arrives at about 7PM.
258 boxes of fresh vegetables.

If all 258 cannot make it to that flight, they will probably be in the next flight DL-947,
which arrives at about 11:56 PM.

Temperature expect to be cold tonight, I'd appreciate if we can get some
team effort and get all these boxes in the warehouse and into the cooler ASAP, in
this shipment we have Valor beans and they will be damaged by this temperature.

Please confirm when something has been set.

Thanks

Andy Grullon



Yoly Farmers Corporation

Riverdale NY 10471

Office (718) 374-6678.

Fx 718-717-7666

Cell 1+(646) 201-2442

AndyG@yolyfarmers.com

www.yolyfarmers.com (<http://www.yolyfarmers.com>)

2/5/2014

Re: Feb 01-2014 Fresh vgs DL-946 AWB-006-3585 1380

Re: Feb 01-2014 Fresh vgs DL-946 AWB-006-3585 1380

Sun 2/2/2014 10:01 AM

From: Andy Grullon

To: Grieci, Philip

Thanks Phil

Andy Grullon



Yoly Farmers Corporation

Riverdale NY 10471

Office (718) 374-6678.

Fx 718-717-7666

Cell 1+(646) 201-2442

AndyG@yolyfarmers.com

www.yolyfarmers.com (http://www.yolyfarmers.com)

From: "Grieci, Philip" <Philip.Grieci@delta.com>

Sent: Saturday, February 01, 2014 3:24 PM

To: "andyg@yolyfarmers.com" <andyg@yolyfarmers.com>

Cc: "Poirier, Ed" <Ed.Poirier@delta.com>, "Delta, JFKPLCargo" <Delta.JFKPLCargo@delta.com>, "Delta, JFKLeadCargo" <Delta.JFKLeadCargo@delta.com>, "Madden, Kevin" <Kevin.Madden@delta.com>, "Maitland, R" <R.Maitland@delta.com>, "Peter Ferrantelli" <peter.ferrantelli@swissport.com>, "Lloyd Andrew" <andrew.lloyd@swissport.com>, "reggie.hinton@swissport.com" <reggie.hinton@swissport.com>, "Tsang, Damon" <Damon.Tsang@delta.com>

Subject: Re: Feb 01-2014 Fresh vgs DL-946 AWB-006-3585 1380

We will get them to the facility as soon as they are off loaded!

Phil Grieci

On Feb 1, 2014, at 11:49 AM, "Andy Grullon" <andyg@yolyfarmers.com<mailto:andyg@yolyfarmers.com>> wrote:

Hello Everyone,

We are expecting a shipment from SDQ, DL-946 today, which arrives at about 7PM.
258 boxes of fresh vegetables.

If all 258 cannot make it to that flight, they will probably be in the next flight DL-947,
which arrives at about 11:56 PM.